



# State of Vermont

## LAND USE PERMIT

### AMENDMENT

CASE NO. **5L1086-EB**

LAWS/REGULATIONS INVOLVED

APPLICANT Richard Berman, Trustee  
and Bradford B. Moore by  
George K. Stearns, Esq.  
Darby, Laundon, Stearns  
& Thorndike  
Main Street, **Carlson Building**  
**P.O. 1392**  
Stowe, VT 05672

10 V.S.A. Chapter 151  
(Act 250)

The Vermont Environmental Board hereby issues Amended Land Use Permit **#5L1086-EB** pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit amendment applies to the lands identified in Book 61, Pages 392-394 of the Land Records of the Town of Johnson, Vermont, as the subject of deeds to Richard Berman, Trustee. This permit amendment revises the conditions of Land Use Permit **#5L1086** which authorized the construction of a five-unit apartment building with 21 bedrooms and associated parking area on two lots, which together comprise approximately 1.95 acres at the corner of College Hill Road and Town Highway **#58** in Johnson, Vermont.

The Permittees, and their assigns and successors in interest, are obligated by this permit amendment to complete and maintain the project only as approved by the District **#5** Commission in accordance with the terms and conditions of Land Use Permit **#5L1086**, except as amended hereby; in accordance with the plans, exhibits and testimony submitted to the Environmental Board by the Permittees; and in accordance with Findings of Fact and Conclusions of Law **#5L1086-EB**.

### CONDITIONS

Condition **#8** is deleted and replaced with the following:

8. Landscaping, parking areas, guard rails, and a stockade fence shall be implemented and continually maintained as shown in District Commission Exhibit **#22** and Landscaping Plan B (Board Exhibit #21-B) except as modified herein. The Applicant is required to construct stone tree wells as shown in Landscaping Plan A. (Board Exhibit #21-A). The Applicant is required to plant eight to 10-foot arbor vitae, ten feet on center, in two staggered rows along the stockade fence, as shown in Landscaping Plan A. All landscaping shall be continually maintained, and any dead or diseased trees shall be replaced as soon as seasonally possible. **The Applicant shall remove the existing stockade fence and replace it with a new 200-**

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foot stockade fence prior to commencing construction on the site. The Applicant shall be responsible for maintaining the stockade fence in good repair.

Condition #12 is deleted and replaced with the following:

12. The Permittees shall provide for snow removal in a safe and effective manner as described in the snow removal plan (District Commission Exhibit #18), submitted to and approved by the District Commission, except that snow will not be plowed to the areas as described in that plan. Rather, all snow plowed shall be loaded and removed from the site.

Condition #16 is amended to include the following additional provisions:

16. The Resident Assistant must occupy one of the apartments in the proposed building. The Resident Assistant, or another person under contract with Trinity Property Management with the same duties to monitor resident activities, shall be on the project premises during the evening and night-time hours on all days when Johnson College is in session, including summer sessions, and for three days before the commencement of each session and three days after the close of each session.

Conditions #21 and 22 are deleted and replaced with the following:

21. All construction on this project, including landscaping, must be completed by October 31, 1992.
22. This permit shall expire on May 1, 2012, unless extended by the District Commission.

Dated at Montpelier, Vermont, this 8th day of May, 1992.

ENVIRONMENTAL BOARD



Elizabeth Courtney, Chair

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